

Resolutions Signed

The President announced the signing of, in the present of the Senate after the captions had been read, the following enrolled resolutions:

H. C. R. No. 83, Requesting the Governor to return H. B. No. 232 to the House for further consideration.

H. C. R. No. 81, Requesting the return of House Bill No. 58 from the Governor's office for correction.

Adjournment

Senator Wagonseller moved that the Senate stand adjourned until 10:30 o'clock a. m. tomorrow.

Senator Hazlewood moved that the Senate stand recessed until 2:30 o'clock p. m. today.

Question first recurring on the motion of Senator Wagonseller, the motion prevailed by the following vote:

Yeas—19

Bell	Lock
Bullock	Martin
Carney	Parkhouse
Carter	Phillips
Corbin	Shofner
Fuller	Strauss
Hudson	Vick
Kelley of Hidalgo	Wagonseller
Kelly of Tarrant	Weinert
Lane	

Nays—10

Aikin	McDonald
Bracewell	Moffett
Colson	Moore
Hardeman	Nokes
Hazlewood	Russell

Absent

Ashley	Tynan
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Accordingly, the Senate at 12:55 o'clock p. m. adjourned until 10:30 o'clock a. m. tomorrow.

SIXTY-THIRD DAY

(Wednesday, May 2, 1951)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Bell
Ashley	Bracewell

Bullock	Martin
Carney	McDonald
Carter	Moffett
Colson	Moore
Corbin	Nokes
Fuller	Parkhouse
Hardeman	Phillips
Hazlewood	Russell
Hudson	Shofner
Kelley of Hidalgo	Strauss
Kelly of Tarrant	Tynan
Lane	Vick
Lock	Wagonseller

Absent

Weinert

A quorum was announced present.

The Reverend John I. Byron, Rector of St. James Episcopal Church of Columbus, Ohio, and Chaplain of the Ohio State Senate, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Kelly of Tarrant submitted the following report:

Austin, Texas,
May 2, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred H. B. No. 505, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

KELLY of Tarrant, Chairman

Senator Strauss submitted the following report:

Austin, Texas,
May 2, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred H. B. No. 713, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

STRAUSS, Chairman

Senator Aikin submitted the following report:

Austin, Texas,
May 2, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 230, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman

Senator Bullock submitted the following report:

Austin, Texas,
May 2, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred H. B. No. 618, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BULLOCK, Chairman

Senator Carter submitted the following report:

Austin, Texas,
May 2, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 486, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARTER, Chairman

Senator Bracewell submitted the following reports:

Austin, Texas,
May 2, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred H. B. No. 280, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRACEWELL, Chairman

Austin, Texas,
May 2, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was re-

ferred H. B. No. 403, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRACEWELL, Chairman

Senator Carter submitted the following report:

Austin, Texas,
May 2, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 737, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARTER, Chairman

Senator Wagonseller submitted the following report:

Austin, Texas,
April 26, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Military and Veteran Affairs, to whom was referred H. B. No. 647, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WAGONSELLER, Chairman

Senator Phillips submitted the following reports:

Austin, Texas,
May 1, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 456, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PHILLIPS, Chairman

Austin, Texas,
May 1, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 745, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PHILLIPS, Chairman

Austin, Texas,
May 1, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 728, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PHILLIPS, Chairman

Austin, Texas,
May 1, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 375, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PHILLIPS, Chairman

Austin, Texas,
May 1, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 422, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PHILLIPS, Chairman

Austin, Texas,
May 1, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 440, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PHILLIPS, Chairman

Austin, Texas,
May 1, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 441, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PHILLIPS, Chairman

Austin, Texas,
May 1, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 750, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PHILLIPS, Chairman

Austin, Texas,
May 1, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 309, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PHILLIPS, Chairman

Senator Ashley submitted the following report:

Austin, Texas,
May 2, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred H. J. R. No. 3, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

ASHLEY, Chairman

Senate Bill 445 on First Reading

Senator Moore moved that Senate Rule 114, and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hudson
Ashley	Kelley of Hidalgo
Bell	Kelly of Tarrant
Bracewell	Lane
Bullock	Lock
Carney	Martin
Carter	McDonald
Colson	Moffett
Corbin	Moore
Fuller	Nokes
Hazlewood	Phillips

Russell	Tynan
Shofner	Vick
Strauss	Wagonseller

Absent

Hardeman	Weinert
Parkhouse	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Moore:

S. B. No. 445, A bill to be entitled "An Act relating to Anhydrous Ammonia Fertilizer, the equipment used for storing and applying same; defining certain terms used in this Act; vesting certain powers and duties in the Commissioner of Agriculture of the State of Texas; requiring permits and licenses and fixing the fees for same under certain limitations; requiring bonds for dealers in Anhydrous Ammonia Fertilizer; providing for inspection of equipment used; exempting certain persons from the terms of this Act; providing for the appointment of an advisory board consisting of five members, to be appointed by the Governor of Texas, to assist the Commissioner to formulate rules and regulations for the adequate enforcement of this Act and fixing their per diem for services; providing for revocation of permits and licenses by the Commissioner; writing a saving section; repealing other conflicting laws; appropriating all moneys paid into the Special Fund herein created and declaring an emergency."

To Committee on Agricultural Affairs.

Senate Resolution 196

Senator Vick offered the following resolution:

Whereas, We are honored today to have in the gallery Judge R. M. Carter, prominent citizen and jurist of North Texas and father of our esteemed colleague Senator Joe Carter, and Hubert Bookout, both of Sherman; and

Whereas, These honored guests are on a visit to the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies and privileges of the floor for the day.

Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bell, Bracewell, Bullock, Carney, Carter, Colson, Corbin, Fuller, Hardeman, Hazlewood, Hudson, Kelley of Hidalgo, Kelly of Tarrant, Lane, Lock, Martin, McDonald, Moffett, Moore, Nokes, Parkhouse, Phillips, Russell, Shofner, Strauss, Tynan, Vick, Wagonseller, Weinert.

The resolution was read.

On motion of Senator Vick and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was adopted.

Senate Resolution 197

Senator Wagonseller offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, Miss Mary Evelyn Blagg and her Government Class of North Texas State College in Denton; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate; and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Senate Resolution 198

Senator Moffett offered the following resolution:

Whereas, We are honored today to have in the gallery a group of seniors from the Knox City High School, Knox City, Texas, accompanied by Mr. T. E. Holcomb, Superintendent, and a number of parents of the children; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City of their State; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Senate Concurrent Resolution 54

Senator Bullock offered the following resolution:

S. C. R. No. 54, Providing for appointment of Tri-State Industrial Committee.

Whereas, The production, sale and consumption of natural gas are matters of interest to all the citizens of Texas; and

Whereas, The availability of natural gas is a vital element in the industrial progress of Texas; and

Whereas, The State of Texas has problems relative to natural gas in common with the States of Oklahoma and Kansas, the Governors of which States have proposed the appointment of an advisory committee to be known as the Tri-State Industrial Conference, to study these mutual problems; now, therefore, be it

Resolved, By the Senate, the House of Representatives concurring, that the Governor of Texas be and is hereby requested to appoint to said Tri-State Industrial Conference five representative citizens whose knowledge and experience are such as to qualify them to make a contribution in the study of mutual problems growing out of the production and marketing of natural gas.

BULLOCK
HARDEMAN
LANE
HAZLEWOOD
HUDSON
KELLY of Tarrant

The resolution was read.

On motion of Senator Bullock and by unanimous consent the resolution was considered immediately and was adopted.

Presentation of Guests

Senator Lock presented Mrs. Mary Williamson of Lufkin, Texas, the mother of Mrs. Lock, as a guest of the Senate today.

Senator Martin presented his brother, Mr. William B. Martin, Mrs. Martin and children, Martha and Betty, of Hillsboro, Texas, as guests of the Senate today.

The guests were welcomed to the Senate and were extended the privileges of the floor for today.

House Concurrent Resolution 77

Senator Lane asked unanimous con-

sent to suspend the regular order of business and that H. C. R. No. 77 be laid out for consideration at this time.

There was objection.

Senator Lane then moved to suspend the regular order of business and that H. C. R. No. 77 be laid out for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Aikin	Lane
Ashley	McDonald
Bell	Moore
Bullock	Nokes
Carney	Russell
Corbin	Shofner
Hardeman	Strauss
Hazlewood	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller

Nays—9

Bracewell	Lock
Carter	Martin
Colson	Moffett
Fuller	Phillips
Hudson	

Absent

Parkhouse	Weinert
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The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 77, Suspending the Joint Rules so that the House may consider House Bill No. 638 on Senate Bill Days in the House.

The resolution was read and was adopted by the following vote:

Yeas—17

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	McDonald
Bullock	Nokes
Carney	Russell
Corbin	Shofner
Hardeman	Strauss
Hazlewood	Wagonseller
Kelley of Hidalgo	

Nays—10

Bracewell	Lock
Carter	Martin
Colson	Moffett
Fuller	Phillips
Hudson	Tynan

Absent

Moore Vick
Parkhouse Weinert

**Presentation of the Honorable
C. V. Terrell to the Senate**

Senator Wagonseller presented the Honorable C. V. Terrell, a former Senator from the Twenty-second Senatorial District and the oldest living former Senator as a guest of the Senate today.

Judge Terrell was welcomed to the Senate and was extended the privileges of the floor for today.

Senate Resolution 199

Senator Wagonseller offered the following resolution:

Whereas, We are honored today to have in the Senate gallery Mr. Fred Brown, manager of the Baker Hotel, Mineral Wells, and Mr. J. R. Stuart, prominent rancher of Strawn; and

Whereas, These two gentlemen are outstanding citizens of North Texas; therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Senate Resolution 200

Senator Phillips offered the following resolution:

Whereas, We are honored today to have in the gallery students of the Civics Class of Pearland Independent School District of Pearland, Texas, and their teacher, Mr. G. E. Thigpen; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Messages From the Governor

The President laid before the Senate and directed the Secretary to read the following messages received from the Governor:

Austin, Texas,
April 30, 1951.

To the Members of the Fifty-second Legislature:

Complying with the request contained in H. C. R. 83, I am returning herewith House Bill No. 232.

Complying with the request contained in H. C. R. No. 81, I am returning herewith House Bill No. 58.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Austin, Texas,
April 30, 1951.

To the Members of the Fifty-second Legislature:

Complying with the instructions contained in H. C. R. No. 76, I am returning herewith House Bills Nos. 74, 387, and 679.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Austin, Texas,
April 30, 1951.

To the Members of the Fifty-second Legislature:

I am returning to you herewith House Bill No. 252 which I have this day vetoed because same is contrary to Section 56 of Article III of the Constitution of the State of Texas.

I have referred this proposed legislation to the Attorney General of Texas and in an opinion dated April 30, 1951, he has stated that House Bill No. 252 does contravene above section of the Constitution of Texas.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Austin, Texas,
April 30, 1951.

To the Members of the Fifty-second Legislature:

I am returning to you herewith House Bill No. 521 which I have this day vetoed because same is contrary to Section 56 of Article III, Constitution of Texas.

I have referred this proposed legislation to the Attorney General of Texas and in an opinion dated April 23, 1951, he has stated that House Bill No. 521 does contravene above section of the Constitution of Texas.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Bill Ordered Not Printed

On motion of Senator Martin, and by unanimous consent, it was ordered that H. B. No. 486 be not printed.

Conference Committee Report on House Bill 185

Senator Corbin submitted the following Conference Committee report on H. B. No. 185:

Austin, Texas,
May 1, 1951.

Hon. Ben Ramsey, President of the Senate;

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 185, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

CORBIN
WAGONSELLER
HARDEMAN
HAZLEWOOD
LANE

On the part of the Senate.

SADLER
WILKERSON
WILLIAMS of Scurry
LAFONT
McILHANEY

On the part of the House.

H. B. No. 185

By: LaFont

**A BILL
TO BE ENTITLED**

"An Act authorizing counties to expend monies for the purpose of maintenance and upkeep of the public cemeteries and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Commissioners' Courts of the counties of this State are hereby authorized to spend monies in the general fund for the purpose of maintenance and upkeep of public cemeteries in their respective counties.

Section 2. If a part, section, subsection, paragraph, sentence, clause, phrase, or word contained in this Act shall be held by the courts to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Act and

the Legislature hereby declares that it would have enacted, and does here now enact, such remaining portion despite any such invalidity.

Section 3. The fact that there is no law authorizing counties to expend monies for the purpose of maintaining public cemeteries creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be, and the same is hereby, suspended, and this Act shall take effect, and be in force from and after its passage, and it is so enacted.

The Conference Committee report was read and was adopted.

Senate Concurrent Resolution 55

Senator Carter offered the following resolution:

S. C. R. No. 55, Suspending Joint Rules to consider S. B. No. 292 and H. B. No. 686.

Be it resolved, by the Senate of Texas, the House of Representatives concurring, that the Joint Rules of the Senate and House be suspended in order that either House may consider Senate Bill No. 292 and House Bill No. 686 on any day of the present session.

The resolution was read.

On motion of Senator Carter, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Resolution 201

Senator Strauss offered the following resolution:

Whereas, We are honored today to have in the gallery forty-five Civics Class students from Hempstead, Brookshire, Monaville and Pattison High Schools of Waller County, accompanied by their teachers, Mrs. Carlyle, Miss Morgan, Mrs. Barry, Mrs. Baines, Mr. Muske, and Mr. Driver; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Conference Committee Report on Senate Bill 38

Senator Kelly of Tarrant submitted the following Conference Committee report on S. B. No. 38:

Austin, Texas,
May 2, 1951.

Hon. Ben Ramsey, Lieutenant-Governor and President of the Senate;
Hon. Reuben E. Senterfitt, Speaker of the House of Representatives.

Gentlemen: We, your Conference Committee, appointed to adjust the differences on S. B. No. 38, have had the same under consideration, and beg leave to report that it be passed in the form and the text attached hereto.

KELLY of Tarrant
MARTIN
HARDEMAN
ASHLEY
WEINERT

On the part of the Senate.

ABINGTON
BUCHANAN
HUFFMAN
EHLERT

On the part of the House.

S. B. No. 38

A BILL TO BE ENTITLED

"An Act amending Section 1 of Acts of 1947, 50th Legislature, page 1005, Chapter 424, (Section 1a of Article 46a, Revised Civil Statutes of Texas), prescribing certain facts relating to petitioner and child to be included in petitions for the adoption of a minor child; amending Section 6 of Acts of 1931, 42nd Legislature, page 300, Chapter 177, as amended, Acts of 1937, 45th Legislature, page 1324, Chapter 490, Section 1 (Section 6 of Article 46a, Revised Civil Statutes of Texas), relating to the written consent necessary for the adoption of a child, and providing exceptions; amending Section 9 of Acts of 1931, 42nd Legislature, page 300, Chapter 177, (Section 9 of Article 46a, Revised Civil Statutes of Texas), relating to the status of adopted children for inheritance and other purposes; amending Section 1 of Acts of 1934, 43rd Legislature, 2nd Called Session, page 300, Chapter 39, as amended by Acts of 1937, 45th Legislature, page 1324, Chapter 490, Section 2, and further amended by Acts of 1947, 50th Legislature, page 1016, Chapter 434, Section 2 (Article 46b, Revised Civil Statutes of Texas), re-

lating to the validation of adoptions; providing a savings clause; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 1 of Acts of 1947, 50th Legislature, page 1005, Chapter 424, (Section 1a of Article 46a, Revised Civil Statutes of Texas) be amended so as to hereafter read as follows:

"Section 1a. Every petition for leave to adopt a minor child shall set forth among the facts relative to petitioner and child the following information: (1) the name, race, and age of each petitioner; (2) the residence and present address of petitioner; (3) the name to be given the child through the adoption; (4) the sex, race, birth date, and birthplace of the child sought to be adopted; (5) the date on or about which the minor child was placed in the home of petitioners; (6) what written consent papers have been obtained from the natural parent or parents and if none obtained, then specify which exception to the necessity for such consent is applicable; (7) the relationship between the petitioner and the child; (8) whether waiver of six (6) months residence in the home of the petitioner is requested, and if so, the reason for requesting the waiver of the six-month period."

"Section 1b. Upon filing and docketing of the petition the Clerk of the Court shall mail a certified copy of same to the Executive Director of the State Department of Public Welfare and shall note upon the docket the date of the mailing."

"Section 1c. After the filing and docketing of the petition, and in order to aid in completing the investigator's report required by law, there shall be furnished upon the request of the Judge of the Court in which said application is pending, or the investigator appointed by the Court, or the Executive Director of the State Department of Public Welfare, the following information: (1) the name of the child as it appears on the birth certificate; (2) the names, residences, and/or street addresses of the natural parents; or if the names and addresses of the natural parents or the name of said child are unknown to the petitioner, such fact or facts should be so stated to either the Judge, investigator, or the Executive Director of the State Department of Public Welfare re-

requesting such information, in which event there shall be furnished in response to such request, the name and address of any person, agency or institution having such information. The request for such information may be directed either to petitioners or to the attorney of record for petitioners, and shall be made not later than fifteen (15) days prior to the date on which the application is scheduled for hearing."

Sec. 2. That Section 6 of Acts of 1931, 42nd Legislature, page 300, Chapter 177, as amended by Acts of 1937, 45th Legislature, page 1324, Chapter 490, Section 1 (Section 6 of Article 46a, Revised Civil Statutes of Texas), be amended so as to read as follows:

"Section 6. Except as otherwise provided in this Section, no adoption shall be permitted except with the written consent of the living parents of the child; provided, however, that if a living parent or parents shall voluntarily abandon and desert a child sought to be adopted, for a period of two (2) years, and shall have left such child to the care, custody, control and management of other persons, or if such parent or parents shall have not contributed substantially to the support of such child during such period of two (2) years commensurate with his financial ability, then, in either event, it shall not be necessary to obtain the written consent of the living parent or parents in such default, and in such cases adoption shall be permitted on the written consent of the Judge of the Juvenile Court of the county of such child's residence; or if there be no Juvenile Court, then on the written consent of the Judge of the County Court of the county of such child's residence.

"In a case of a child fourteen (14) years of age or over, the consent of such child also shall be required and must be given in writing in the presence of the court.

"Consent shall not be required of parents whose parental rights have been terminated by order of the Juvenile Court or other Court of competent jurisdiction.

"In case of a child not born in lawful wedlock the consent of the father shall not be necessary, and the consent of the natural mother, regardless of her age, shall suffice.

"In the case of a child placed by its parents in a child-placing agency or institution licensed by the State

Department of Public Welfare to place children for adoption, it shall be sufficient for the living parents to consent in writing that such agency or institution place such child for adoption, and no further consent shall be required of such living parent.

"In the case of any consent by the natural parents as herein required to the adoption of a minor child, regardless of whether or not said child was born in lawful wedlock, such consent shall be sufficient if given in writing after the birth of said child and duly acknowledged, giving the name, date and place of birth of said child, and shall agree to permanently surrender the care, custody, and parental authority of and over said child, and consent to its adoption upon judgment of any Court of competent jurisdiction without the necessity of reciting therein the names of the parents by adoption."

Sec. 3. That Section 9 of Acts of 1931, 42nd Legislature, page 300, Chapter 177, (Section 9 of Article 46a, Revised Civil Statutes of Texas), be amended so as to hereafter read as follows:

"Section 9. When a minor child is adopted in accordance with the provisions of this Article, all legal relationship and all rights and duties between such child and its natural parents shall cease and determine, and such child shall thereafter be deemed and held to be for every purpose the child of its parent or parents by adoption as fully as though naturally born to them in lawful wedlock. Said child shall be entitled to proper education, support, maintenance, nurture and care from said parent or parents by adoption, and said parent or parents by adoption shall be entitled to the services, wages, control, custody and company of said adopted child, all as if said child were their own natural child. For purposes of inheritance under the laws of descent and distribution such adopted child shall be regarded as the child of the parent or parents by adoption, such adopted child and its descendants inheriting from and through the parent or parents by adoption and their kin the same as if such child were the natural legitimate child of such parent or parents by adoption, and such parent or parents by adoption and their kin inheriting from and through such adopted child the same as if such child were the natural legitimate child of such parent or parents by adoption. The nat-

ural parent or parents of such child and their kin shall not inherit from or through said child, but said child shall inherit from and through its natural parent or parents. Nothing herein shall prevent any one from disposing of his property by will according to law. Such adopted child shall be regarded as a child of the parent or parents by adoption for all other purposes as well, except that where a deed, will, or other instrument uses words clearly intended to exclude children by adoption, such adopted child shall not be included in such class. The legal adoption of a child according to the laws of another State of the United States, residing in the State of Texas, shall be, in all respects, valid and binding as if the adoption had occurred in the State of Texas, insofar as the effects of the adoption and the right of inheritance may be concerned as provided in this Act."

Sec. 4. That Section 1 of Chapter 39 of Acts of 1934, 43rd Legislature, 2nd Called Session, page 93, as amended by Section 2 of Chapter 490 of Acts of 1937, 45th Legislature, page 1324, and further amended by Section 2 of Chapter 434 of Acts of 1947, 50th Legislature, page 1016, (Article 46b, Revised Civil Statutes of Texas), be amended so as to hereafter read as follows:

"All adoption papers which were signed by an adopting parent or parents prior to August 21, 1931, and under the terms of which any child was attempted to be adopted, be, and the same are, hereby validated and made of binding force and effect, although said adoption papers were not authenticated or acknowledged as required for deeds, and were not prior to the death of the adopting parent filed for record with the County Clerk of the adopting parent's residence.

"All adoption decrees heretofore entered by District Court in Texas, based on proceedings which conformed to the adoption statutes as thereafter or hereby amended, be, and the same are hereby validated and made of binding force and effect."

Sec. 5. If any paragraph, sentence, clause, phrase, word or provision of this Act is declared unconstitutional, inoperative or invalid by any court of competent jurisdiction, the same shall not affect or invalidate the remainder of this Act.

Sec. 6. The fact that many adoption petitions now being filed do not disclose sufficient information to enable

the State Department of Public Welfare to efficiently perform the responsibilities placed on it by present laws; the fact that the present adoption laws do not expressly permit parents to place children for adoption with a licensed child-placing agency or institution and confer on such institution the power to consent to the adoption without disclosing to the natural parents the names of the adoptive parents; and the fact that the present validating law (Article 46b, Revised Civil Statutes of Texas) fails to validate those adoptions after January 1, 1923, until August 21, 1931, the effective date of the present system of adoptions in District Courts, all create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House, and the constitutional rule requiring bills to take effect and go into force ninety (90) days after adjournment be, and the same are hereby suspended; and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee report was read and was adopted.

Resolutions Signed

The President signed in the presence of the Senate, after the captions had been read, the following enrolled resolutions:

H. C. R. No. 82, Suspending the Joint Rules of the House and Senate so as to consider H. B. 190.

H. C. R. No. 80, Suspending the Joint Rules of the House and Senate so that Senate Bill No. 90 may be considered at any time.

H. C. R. No. 79, Suspending the Joint Rules of the House and Senate in order for the Appropriations Committee of the House, and the House, to consider House Bill No. 755.

H. C. R. No. 78, Authorizing certain corrections in House Bill No. 207 which has passed the House and Senate.

House Bill 326 on Second Reading

On motion of Senator Russell, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 326, A bill to be entitled "An Act defining a slot machine; providing a penalty for the manufacture, ownership, storing, keeping, sale, renting, leasing, letting on shares, lending or giving away, transportation or possession of a slot machine; authorizing the issuance of a search warrant to search any place where it is alleged a slot machine is stored, kept or possessed; prescribing the procedure to be followed in obtaining and executing the search warrant; providing for the destruction of a slot machine; providing for the confiscation and use of any coins or money found in a slot machine; providing this act shall be cumulative of all existing laws relating to gaming and to search; providing a savings clause; and declaring an emergency."

The bill was read second time.

Senator Hardeman offered the following amendment to the bill:

Amend House Bill 326 by adding the following at the end of Sec. 4:

"Provided that any evidence obtained as a result of a search made under or by reason of any search warrant issued under the provisions of this Act shall not be used, received or admitted in evidence upon the trial of, or to establish any offense other than that relating to slot machines as defined in this Act."

The amendment was adopted.

Senator Hudson offered the following amendment to the bill:

Amend House Bill 326 by striking from Section 4 of the printed bill all of lines 52 to 64 inclusive and substituting the following:

"A warrant to search for and seize a slot machine alleged to be stored, kept or possessed in any house, room, or place may be issued by a magistrate when a written, sworn complaint is made to the magistrate setting forth:

1. The name of the person accused of storing, keeping or possessing such machine; or if his name is unknown, giving a description of the accused, or stating that the person who stores, keeps or possesses such slot machine is unknown;

2. The place where it is alleged that the slot machine is stored, kept, or possessed;

3. That the person complaining has

good grounds to believe that the slot machine is stored, kept or possessed in the house, room or place alleged."

(President pro tempore in Chair)

Senator Russell moved to table the amendment.

The motion to table was lost by the following vote:

Yeas—12

Aikin	Hazlewood
Bracewell	McDonald
Carter	Nokes
Colson	Phillips
Corbin	Russell
Hardeman	Wagonseller

Nays—18

Ashley	Lock
Bell	Martin
Bullock	Moffett
Carney	Moore
Fuller	Parkhouse
Hudson	Shofner
Kelley of Hidalgo	Strauss
Kelly of Tarrant	Tynan
Lane	Vick

Absent

Weinert

Question recurring on the amendment, it was adopted.

Senator Hudson offered the following amendment to the bill:

Amend House Bill 326 by adding to Section 2 thereof the following words:

"Provided, however, that the foregoing provisions shall not be applicable to bona fide and legally chartered fraternal, benevolent, veterans or country clubs, admission to which is limited to membership and invited guests, owning outright the machine or mechanical device displayed on their premises. Nothing in the foregoing exception, however, shall prevent any such organization from being prosecuted under the terms of this Act if it enters into any rental, lease or share agreement with any person relating to the possession or use of such machines."

On motion of Senator Russell, the amendment was tabled by the following vote:

Yeas—19

Aikin	Carter
Bracewell	Colson
Bullock	Corbin

Hardeman	Nokes
Hazlewood	Phillips
Lane	Russell
Lock	Tynan
Martin	Vick
McDonald	Wagonseller
Moffett	

Nays—11

Ashley	Kelly of Tarrant
Bell	Moore
Carney	Parkhouse
Fuller	Shofner
Hudson	Strauss
Kelley of Hidalgo	

Absent

Weinert

The bill, as amended, was passed to third reading.

(President in Chair)

House Bill 326 on Third Reading

Senator Russell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 326 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Fuller	Russell
Hardeman	Shofner
Hudson	Strauss
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick
Lane	Wagonseller

Nays—1

Ashley

Absent

Hazlewood	Weinert
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

On motion of Senator Nokes, and by unanimous consent, the caption

was amended to conform to the body of the bill, as amended.

The bill was passed.

Record of Votes

Senators Hardeman, Vick and Moore asked to be recorded as voting "yea" on the final passage of H. B. No. 326.

Senate Resolution 202

Senator Ashley offered the following resolution:

Whereas, We are honored today to have in the gallery the 9th and 10th Grade Classes of Leander High School accompanied by their sponsors, Mrs. Elaine Winston and Mr. W. O. Mann; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Senate Resolution 203

Senator Bell offered the following resolution:

Whereas, We have today in the gallery forty-two students of the 4th Grade of the G. W. Gross School of Victoria, Texas; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day, and that a copy of this resolution be forwarded to each student and sponsor.

The resolution was read and was adopted.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
May 2, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 366, A bill to be entitled "An Act amending Subsection 5 of Article 199, Revised Civil Statutes of Texas of 1925, as amended by Chapter 254, Acts 1933, 43rd Legislature, as amended by Chapter 104, Acts 1933, 43rd Legislature, special laws, page 147, as amended by Chapter 159, Acts 1935, 44th Legislature, as amended by Chapter 143, Section 1, Acts 1937, 45th Legislature, as amended by Chapter 3, Acts 1939, 46th Legislature, and as amended by Chapter 287, Section 1, Acts 1943, 48th Legislature, providing for the terms of court for Bowie and Cass Counties; providing part of each term of said court in Bowie County shall be held at Texarkana, Texas, for the trial of non-jury cases, and fixing the terms thereof; permitting District Clerk of Bowie County to transfer records and minutes to Texarkana, Texas, and vice versa; providing for the Sheriff and District Clerk of Bowie County, Texas, to serve or furnish Deputy at Texarkana, Texas, when terms of court are held there; authorizing Commissioners Court of Bowie County to provide suitable quarters for court while sitting at Texarkana, or to make agreements in its discretion with City of Texarkana, Texas, for such purposes; repealing all laws or parts of laws in conflict herewith expressing the intent of the Legislature in passing said Act, and declaring an emergency."

S. B. No. 97, A bill to be entitled "An Act amending Article 6205, Revised Civil Statutes of 1925, as amended by Acts of 1943, 48th Legislature, Regular Session, page 617, Chapter 357, Section 1, providing that no widow of a Confederate Veteran born since January 1, 1877, shall be entitled to a widow's pension; and declaring an emergency."

(With amendment)

S. B. No. 207, A bill to be entitled "An Act amending Article 6228b, Section 4, Revised Civil Statutes of Texas, Acts of the Fifty-first Legislature, Regular Session, Title 109, page 558, providing for the tenure of office of persons who have served on one (1) or more Courts of this State to be changed from twenty-five (25) years to twenty-four (24) years or more so that such persons will be entitled to retirement pay under the provisions of this Act; and declaring an emergency."

S. B. No. 411, A bill to be entitled "An Act amending Section 5 of Senate Bill 284, Chapter 224, Acts of the 50th Legislature, 1947, codified as Article 2815K-1 of Vernon's Texas Civil Statutes, so as to provide that not more than two trustees elected shall be residents of any one annexed district; and declaring an emergency."

S. B. No. 226, A bill to be entitled "An Act amending Section 2 of House Bill 153, Chapter 62, Acts of the Fifty-first Legislature, Regular Session, 1949 (Art. 2688c, Sec. 2, V.C.S.), so as to provide that the salary of ex-officio county superintendents of public instruction covered thereby shall be determined and paid in the amount and manner provided in Article 3888, Revised Civil Statutes of Texas, 1925, as amended; authorizing the county board of school trustees of the respective counties to appoint an assistant ex officio county superintendent and to provide for his salary and office and traveling expenses for the office of the ex officio county superintendent in the manner, extent and from the same funds as set out in Articles 2701 and 3888, Revised Civil Statutes of Texas, 1925, as amended; providing this Act shall become operative on the first day of the month immediately following its effective date; and declaring an emergency."

S. B. No. 229, A bill to be entitled "An Act amending Paragraph P of Section 1, Paragraph E of Section 3 and Paragraph A of Section 4 of House Bill 168, Chapter 352, Acts of the Fiftieth Legislature, 1947, defining 'Average Prior Service Compensation'; providing that former employees who return to State service may be eligible for the same retirement benefits as other State employees; providing a method of computing prior service for employees returning to State service; and declaring an emergency."

S. B. No. 242, A bill to be entitled "An Act amending House Bill No. 2, Acts Fifty-first Legislature, First Called Session, 1950, Chapter 1, page 1, by adding thereto a new section to be known as Sec. 2(a)-1 authorizing the State Treasurer to exchange cigarette tax stamps of the old denomination representing taxes paid at the new rate which were presented to the Treasurer for exchange within 120 days from the effective date of

said House Bill No. 2 for stamps of the new denomination; and declaring an emergency."

S. B. No. 414, A bill to be entitled "An Act transferring Armstrong County from the 47th Judicial District to the 100th Judicial District; reorganizing the 100th Judicial District and the 47th Judicial District and fixing the terms of the district courts thereof; providing that all process and writs issued or served and recognizances, bonds and undertakings entered prior to the effective date of this Act returnable to the District Court of Carson, Hall, Donley, Collingsworth and Childress Counties or to the District Court of Randall, Potter and Armstrong Counties shall be returnable to the District Courts of said counties as reorganized by this Act and in accordance with the terms of said courts fixed by this Act; providing that all grand and petit juries drawn and selected under the law prior to the effective date of this Act shall be considered lawfully drawn and selected for the next term of the district court of the respective counties after the effective date hereof; validating all such process; providing that if the district court shall be in session in any of such counties on the effective date of this Act, such court or courts shall continue in session until the term thereof has expired under the law in effect prior to the effective date of this Act; providing for all matters and things necessary or incidental to the purpose of this Act; providing a savings clause; repealing all laws or parts of laws in conflict with this Act; and declaring an emergency."

S. B. No. 280, A bill to be entitled "An Act providing that the State ad valorem tax levied under Article 8, Section 1a, of the Constitution of Texas, in the Counties of Nueces, Jim Wells, Jim Hogg, Brooks, Kleberg, Willacy and Duval, heretofore donated and granted to the City of Corpus Christi, be paid to said city in an amount sufficient to discharge all obligations payable from such donation and grant, and providing that any excess shall be retained by the said counties for farm to market roads or flood control; prescribing the method of computing the amount due by each county; and declaring an emergency."

S. B. No. 362, A bill to be entitled

"An Act authorizing county commissioners' courts to compensate constables and deputy constables for transportation or furnish adequate transportation within the State; providing for sworn statements covering such transportation; providing that this Act shall be severable; repealing all laws in conflict with this Act; and declaring an emergency."

S. B. No. 393, A bill to be entitled "An Act amending Article I of Senate Bill 115, Chapter 299, Acts of the Fifty-first Legislature, Regular Session, 1949, by adding a new section thereto to be known as Section 4, providing that the central education agency shall have exclusive jurisdiction and control over the State School for the Deaf; prescribing certain duties of the Commissioner of Education; providing for jurisdiction over physical assets; providing that appropriations made for the benefit of such school shall be administered and expended by the agency; and declaring an emergency."

S. B. No. 396, A bill to be entitled "An Act amending Section 4 of Chapter 501, General and Special Laws, Regular Session, Forty-fifth Legislature, 1937, as last amended by Section 1 of Chapter 415, General and Special Laws, Regular Session, Fifty-first Legislature, 1949, and Article 753, Penal Code of Texas, 1925, as last amended by Section 5 of Chapter 340, General and Special Laws, Regular Session, Forty-eighth Legislature, 1943, repealing all laws or parts of laws in conflict, providing for severance in case of unconstitutionality and declaring an emergency."

(With amendment)

S. B. No. 78, A bill to be entitled "An Act to amend House Bill No. 805, Acts of the Regular Session of the Forty-ninth Legislature providing for additional compensation of Judges of District Courts and Criminal District Courts in counties having a population of not less than three hundred and ninety thousand (390,000) nor more than six hundred thousand (600,000) inhabitants, according to the last preceding or any future Federal census; providing the manner of payment thereof; providing that Article 5139, Revised Civil Statutes of Texas of 1925, shall not be repealed except wherein it conflicts herewith, prohibiting, however, the payment of salaries under said article for any

month wherein salaries herein provided are paid; and declaring an emergency."

(With amendment)

S. B. No. 209, A bill to be entitled "An Act to amend Subsection 2 of Section 1, Chapter 451, Acts, Regular Session, 51st Legislature, page 832, Compiled Laws of said Session, creating a Cotton Research Committee and providing for its membership; prescribing its duties; and declaring an emergency."

S. B. No. 432, A bill to be entitled "An Act making it unlawful to catch or take any type of fish from the waters of Lake Colorado City in Mitchell County for the purpose of sale; providing a penalty for violation of this Act; and declaring an emergency."

S. B. No. 274, A bill to be entitled "An Act relinquishing and granting unto the Port District known as the Port of Beaumont Navigation District of Jefferson County, Texas, the title to the bed and channel of the Neches River in the Port of Beaumont, a part of which has been abandoned by reason of the relocation of the bed or channel of said Neches River; providing for filing with the Commissioner of the General Land Office of the State of Texas an application to perfect title, and for the award of such land to such Port District upon payment to the Commissioner for the Public School Fund the sum of ten (\$10) Dollars per acre for the land; providing for the issuance of a patent; reserving to the State a one-sixteenth (1/16) free royalty interest; providing nothing herein shall in any manner nullify or affect valid oil, gas, and mineral leases; and declaring an emergency."

S. B. No. 197, A bill to be entitled "An Act amending Article 3937, Revised Civil Statutes of Texas, 1925, as amended by S. B. No. 211, Chapter 448, page 829, Acts of the 51st Legislature, Regular Session; amending Article 3939, Revised Civil Statutes of Texas, 1925, as amended by S. B. No. 211, Chapter 448, page 829, Acts of the 51st Legislature, Regular Session, providing for the compensation of the assessor and collector of taxes in assessing and collecting State and county and other taxes and for issuing ad valorem tax certificates; repealing all laws in conflict herewith; and declaring an emergency."

S. B. No. 386, A bill to be entitled "An Act authorizing the State Board of Education to combine subjects on recommendation of the State Textbook Committee and the State Commissioner of Education and to adopt textbooks for such combined subjects and providing the manner and method therefor; providing for the length of contracts for textbooks and for renewal and extension of contracts; repealing conflicting laws; providing invalidity of any part of Act shall not affect remaining parts; and declaring an emergency."

S. B. No. 74, A bill to be entitled "An Act providing for the disposition of property and choses in action when there is no sufficient evidence that persons have died otherwise than simultaneously; providing this Act shall not apply to distribution of property of persons who have died before the effective date hereof; limiting the application of this Act; repealing all laws or parts of laws in conflict herewith; providing for severability; and declaring an emergency."

S. B. No. 130, A bill to be entitled "An Act amending Article 277 of Vernon's Code of Criminal Procedure of the State of Texas, by adding a new section, to be known as Section 2, to provide for disqualification of sureties in misdemeanor cases where they have been in default theretofore; and declaring an emergency."

(With amendment)

S. B. No. 68, A bill to be entitled "An Act with respect to mortgages, deeds of trust, or other security instruments executed by (a) corporations engaged in this State in the generation, manufacture, transmission, distribution and sale of electric energy and power to the public, (b) corporations engaged in this State in the transportation, distribution and sale through local distribution system or systems of natural gas to the public for domestic, commercial, industrial or any other use, and (c) corporations owning or operating in this State any gas pipe line or lines for the transportation and sale of natural gas to other pipe line companies or to local distribution systems or to municipalities, or to industrial consumers for their own use; and providing that filing for record of any mortgage, deed of trust, or other security instrument executed by such corporation subjecting after-acquired

property to the lien thereof, together with an affidavit of an officer of such corporation stating that such corporation is one of those corporations referred to in Section 1 of said Act, in the county or counties in which the property subject or to be subject thereto is situated shall constitute notice of the lien of such mortgage, deed of trust, or other security instrument as to such property thereafter acquired by such corporation in the county or counties in which such mortgage, deed of trust, or other security instrument is filed for record, and declaring an emergency."

(With amendments)

S. B. No. 108, A bill to be entitled "An Act amending Article 3888, Revised Civil Statutes, 1925, as amended, providing for the minimum and maximum salaries of Ex-officio County Superintendents of Public Instruction and their assistants; providing for office and traveling expenses for such Ex-officio County Superintendents; providing this Act shall become operative on the first day of the month immediately succeeding its effective date; and declaring an emergency."

(With amendments)

S. B. No. 259, A bill to be entitled "An Act to authorize cities and towns on the coast of the Gulf of Mexico to purchase, construct, own, maintain, improve, repair, operate, or lease any wharf, pier, pavilion, dock, harbor or boat basin, and such other facilities as may be deemed advisable in connection therewith, including ferries; authorizing such cities and towns to issue negotiable bonds payable from the income to be derived from the operation of the facilities and negotiable bonds to be payable from an ad valorem tax; providing for the approval of such bonds by the Attorney General and the registration thereof by the Comptroller of Public Accounts; and declaring an emergency."

(With amendments)

S. B. No. 281, A bill to be entitled "An Act amending Chapter 111, Acts 1933, 43rd Legislature, First Called Session, to define certain words used therein; providing for approval of bonds by the Attorney General and registration by the Comptroller of Public Accounts; making bonds eligible for purchase by certain Insurance Companies; and declaring an emergency."

(With amendment)

S. B. No. 134, A bill to be entitled "An Act changing the name of 'East Texas State Tuberculosis Sanatorium' created by Senate Bill 296, Chapter 344, Acts of the Fiftieth Legislature, Regular Session, 1947, to East Texas Tuberculosis Hospital; providing that all laws heretofore or hereafter enacted by the Legislature applicable or relating to 'East Texas State Tuberculosis Sanatorium' shall be applicable and relate to East Texas Tuberculosis Hospital; providing that all appropriations heretofore or hereafter made by the Legislature for the use and benefit of 'East Texas State Tuberculosis Sanatorium' shall be available for the use and benefit of East Texas Tuberculosis Hospital; ratifying existing contracts; providing for the effective date of this act; and declaring an emergency."

S. B. No. 300, A bill to be entitled "An Act to amend Article 1919, Revised Civil Statutes of Texas, relating to terms of the district courts, so as to provide for trials of certain cases by district judges in any county in their respective districts; validating certain orders heretofore entered; and declaring an emergency."

S. B. No. 306, A bill to be entitled "An Act to amend Section 4, Chapter 502, Acts Regular Session, 51st Legislature, so as to authorize the pledging of unused revenues from income producing buildings for the construction of additions to said buildings or the construction of any other buildings and the purchase of the necessary sites therefor and providing that any subsequent issue of revenue bonds or notes shall be inferior to any outstanding revenue bonds or notes; and declaring an emergency."

S. B. No. 314, A bill to be entitled "An Act to amend Section 7a of House Bill No. 665, Chapter 321 of the Acts of the 51st Legislature, 1949, regulating the method of advertising areas within tidewater limits for lease and declaring an emergency."

S. B. No. 355, A bill to be entitled "An Act providing that any school district of this State, territory of which is included within the boundaries of a city for city purposes only and in which included territory a public transportation service of such city has been routed or established after the beginning of any current scholastic year and after the school trans-

portation program for the district has been approved in accordance with Senate Bill 116, Acts of the Fifty-first Legislature, Regular Session, 1950, Chapter 334, shall be eligible for State transportation aid for that scholastic year when its territory was so included; providing that the purpose of this Act is to except such a district from the provisions of the fourth paragraph of Section 2b of Article V of Senate Bill 116, supra, so as to provide for their eligibility for transportation aid; providing this Act shall be operative beginning with the 1950-1951 scholastic year; and declaring an emergency."

S. B. No. 371, A bill to be entitled "An Act fixing the rate of tax to be levied for school purposes in all common school districts in counties having a population of less than three thousand (3,000) inhabitants, according to the last preceding Federal Census, which common school districts now levy a total tax of One Dollar and Fifty Cents (\$1.50) per hundred dollars of assessed valuation of taxable property for maintenance purposes and bond interest and sinking fund purposes so as to provide for the levy and collection of additional maintenance taxes; providing for elections to authorize such tax levies; providing a savings clause; repealing all laws in conflict herewith; and declaring an emergency."

(With amendments)

S. B. No. 385, A bill to be entitled "An Act amending Chapter 32, Acts of the 43rd Legislature of Texas, Third Called Session, 1934, (Article 7880-90a, Vernon's Texas Civil Statutes); providing different methods for issuing and securing the payment of bonds by certain water control and improvement districts; prescribing procedures to be followed by such districts; providing that this Act shall be cumulative of other acts on the subject but the provisions of this Act shall prevail over other acts in conflict herewith; and declaring an emergency."

S. B. No. 120, A bill to be entitled "An Act to amend Title 49, Chapter 2, Article 2613, Section 10, of the Revised Civil Statutes of Texas, 1925, providing for the appointment of a State Forester to act as Director of the Texas Forest Service; prescribing the duties of said Director of the Texas Forest Service; providing for

cooperation with the Federal Forest Service; and declaring an emergency."

S. B. No. 398, A bill to be entitled "An Act authorizing Boards of Directors of Water Control and Improvement Districts to adopt resolutions for the collection of taxes of districts by the county assessor and collector or by the city assessor and collector of an incorporated city or town in which the district is located; providing for the assessing and collecting of taxes by county or city officers; providing the compensation for collecting and assessing taxes and providing the fee for collecting delinquent taxes; and declaring an emergency."

S. B. No. 55, A bill to be entitled "An Act making an appropriation to pay the principal of a certain judgment against the State of Texas in Cause No. 86997 in the 98th District Court of Travis County, Texas, styled Trinity County Lumber Company, et al., v. The State of Texas, according to the tenor, effect and reading of such judgment; providing that only the principal of such judgment be paid and that no interest be paid thereon; and declaring an emergency."

The House has concurred in Senate amendments to House Bill No. 655 by vote of 115 ayes, 0 noes.

The House has concurred in Senate amendments to House Bill No. 67 by viva voce vote.

H. C. R. No. 88, Suspending the Joint Rules of the House and Senate so that House Bill No. 121 may be taken up.

The House has concurred in Senate amendments to House Bill No. 681 by vote of 121 ayes, 0 noes.

H. B. No. 593, A bill to be entitled "An Act regulating the sale, use and application of insecticides, fungicides and herbicides; stating the purpose of this act; defining certain terms; providing for the licensing of dealers and the licensing and bonding of appliers; authorizing suspension and revocation of licenses and permits; providing for the inspection and bonding of aircraft and ground equipment; requiring certain records to be kept; prescribing certain standards relating to the application of insecticides, fungicides and herbicides; authorizing the bonding

of the owner or person in control of land in certain circumstances; authorizing the promulgation of rules and regulations by the Commissioner of Agriculture governing the sale and application of insecticides, fungicides and herbicides; authorizing suits against the commissioner for certain purposes; fixing penalties for violation of the provisions of this act; providing exemptions from the provisions of this act; providing a savings clause; repealing House Bill 420, Chapter 451 of the Fifty-first Legislature, Regular Session, 1949, and all laws or parts of laws in conflict with the provisions of this act; and declaring an emergency."

H. B. No. 190, A bill to be entitled "An Act amending House Bill 97, Acts of the Fifty-first Legislature, Regular Session, 1949, providing grants to soil conservation districts; re-appropriating the unexpended balances of all money appropriated to soil conservation districts out of the general fund of the State Treasury by said House Bill 97; providing for the eligibility of a soil conservation district to receive funds; providing for the manner in which money is to be allocated; providing for certification to the State Comptroller for payment of grants; providing that money received by districts shall be deposited in the name of such district in State or National Banks, providing the manner of withdrawal of such funds; providing for the execution of a surety bond for all employees and officers who shall be entrusted with funds or property; etc., and declaring an emergency."

H. J. R. No. 12, Proposing an amendment to Section 26a of Article III of the Constitution of the State of Texas, relating to apportionment of Representative Districts; providing that no county shall be entitled to or have more than eight (8) Representatives; providing for the submission of the proposed amendment to a vote of the people; and providing for the effective date of the amendment if ratified.

(With engrossed riders.)

The House has adopted the Conference Committee Report on House Bill No. 75 by a vote of 106 ayes, 19 noes.

The House has adopted the Confer-

ence Committee Report on Senate Bill No. 221 by a viva voce vote.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

House Bill 414 on Second Reading

Senator Kelly of Tarrant asked unanimous consent to call H. B. No. 414 from the President's table, the bill having been read second time on Thursday, April 19, 1951, and laid on the table, subject to call, with an amendment by Senator Fuller pending.

There was no objection offered.

The President laid before the Senate on its second reading and passage to third reading H. B. No. 414.

Question—Shall the amendment by Senator Fuller be adopted?

On motion of Senator Kelly of Tarrant, the amendment was tabled.

Record of Votes

Senators Fuller and Russell asked to be recorded as voting "nay" on the motion to table the above amendment.

The bill, as amended, was passed to third reading.

House Bill 414 on Third Reading

Senator Kelly of Tarrant moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 414 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Hardeman	Shofner
Hazlewood	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller

Nays—2

Fuller Russell

Absent

Weinert

(Senator Aikin in Chair.)

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Phillips
Hardeman	Shofner
Hazlewood	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller

Nays—2

Fuller Russell

Absent

Weinert

Motion to Place House Bill 409 on Second Reading

Senator Tynan asked unanimous consent to suspend the regular order of business and that H. B. No. 409 be laid out for consideration at this time.

There was objection.

Senator Tynan then moved to suspend the regular order of business and that H. B. No. 409 be laid out for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the members present):

Yeas—19

Aikin	Kelley of Hidalgo
Ashley	Kelly of Tarrant
Bell	Lane
Bracewell	Lock
Carter	Moffett
Colson	Nokes
Fuller	Parkhouse
Hazlewood	Phillips

Russell
Strauss

Tynan

Nays—10

Bullock	Martin
Carney	McDonald
Corbin	Shofner
Hardeman	Vick
Hudson	Wagonseller

Absent

Moore

Weinert

Resolution Ordered Not Printed

On motion of Senator Fuller, and by unanimous consent, it was ordered that H. J. R. No. 19 be not printed.

House Joint Resolution 19 on Second Reading

On motion of Senator Fuller, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. J. R. No. 19, Proposing an amendment to the Constitution of the State of Texas to provide a four-year term of office for elective State, district, county and precinct offices and for members of the House of Representatives and to provide a six-year term of office for members of the State Senate; staggering the terms of such offices by having certain holders of such offices be elected for terms of varying length in the November, 1952, general election, and providing for the necessary proclamation and election.

The resolution was read second time.

Senator Fuller offered the following committee amendments to the resolution which were severally adopted:

(1)

Amend H. J. R. 19 by striking out all below the enacting clause and insert in lieu thereof the following:

Section 1. That Section 4 of Article IV of the Constitution of the State of Texas be amended so as to read as follows:

"Section 4. The Governor shall be installed on the first Tuesday after the organization of the Legislature, or as soon thereafter as practicable, and shall hold his office for the term of four years, or until his successor

shall be duly installed. He shall be at least thirty years of age, a citizen of the United States, and shall have resided in this State at least five years immediately preceding his election. At the general election to be held in November, 1956, and thereafter, no person shall be elected to the office of Governor to succeed himself, or herself, after serving a full elective term."

Sec. 2. That Section 5 of Article IV of the Constitution of the State of Texas be amended so as to read as follows:

"Section 5. The Governor shall, at stated times, receive as compensation an annual salary to be fixed by the Legislature, and shall have the use and occupation of the Governor's Mansion, fixtures and furniture."

Sec. 2A. That Section 17 of Article IV of the Constitution of the State of Texas be amended so as to read as follows:

"Section 17. If, during the vacancy in the office of Governor, the Lieutenant-Governor should die, resign, refuse to serve, or be removed from office, or be unable to serve; or if he shall be impeached or absent from the State, the President of the Senate, for the time being, shall, in like manner, administer the Government until he shall be superseded by a Governor or Lieutenant-Governor. The Lieutenant-Governor shall, while he acts as President of the Senate, receive for his services as compensation an annual salary to be fixed by the Legislature; and during the time he administers the Government, as Governor, he shall receive in like manner the same compensation which the Governor would have received had he been employed in the duties of his office, and no more. The President of the Senate, for the time being, shall, during the time he administers the Government, receive in like manner the same compensation which the Governor would have received had he been employed in the duties of his office."

Sec. 3. That Section 22 of Article IV of the Constitution of the State of Texas be amended so as to read as follows:

"Section 22. The Attorney General shall hold office for four years and until his successor is duly qualified. He shall represent the State in all suits and pleas in the Supreme Court of the State in which the State may be a party, and shall especially inquire into the charter rights of all

private corporations, and from time to time, in the name of the State, take such action in the courts as may be proper and necessary to prevent any private corporation from exercising any power or demanding or collecting any species of taxes, tolls, freight or wharfage not authorized by law. He shall, whenever sufficient cause exists, seek a judicial forfeiture of such charters, unless otherwise expressly directed by law, and give legal advice in writing to the Governor and other executive officers, when requested by them, and perform such other duties as may be required by law. He shall reside at the seat of government during his continuance in office. He shall receive for his services an annual salary to be fixed by the Legislature."

Sec. 4. That Section 23 of Article IV of the Constitution of the State of Texas be amended so as to read as follows:

"Section 23. The Comptroller of Public Accounts, the Treasurer and the Commissioner of the General Land Office shall each hold office for the term of four years, and until his successor is qualified; shall receive an annual salary to be fixed by the Legislature, shall reside at the Capital of the State during his continuance in office; and shall perform such duties as are or may be required by law. They and the Secretary of State shall not receive to their own use any fees, cost or perquisites of office. All fees that may be payable by law for any service performed by any officer specified in this Section, or in his office, shall be paid, when received, into the State Treasury."

Sec. 5. That Article IV of the Constitution of the State of Texas be amended by adding thereto a Section 27 which shall read as follows:

"Section 27. A Commissioner of Agriculture shall be elected for a term of four years. He shall be an experienced and practical farmer, and shall have knowledge of agriculture, manufacture and general industry. His office shall be in Austin. He shall receive an annual salary to be fixed by the Legislature."

Sec. 6. That Section 9 of Article V of the Constitution of the State of Texas be amended so as to read as follows:

"Section 9. There shall be a clerk of the District Court of each county, who shall be elected by the qualified voters for State and county officers, and who shall hold his office for four

years, subject to removal by information, or by indictment of a grand jury, and conviction by a petit jury. In case of vacancy, the Judge of the District Court shall have the power to appoint a clerk, who shall hold until the office can be filled by election."

Sec. 7. That Section 15 of Article V of the Constitution of the State of Texas be amended so as to read as follows:

"Section 15. There shall be established in each county in this State a County Court, which shall be a court of record; and there shall be elected in each county, by the qualified voters, a County Judge, who shall be well informed in the law of the State; shall be a conservator of the peace, and shall hold his office for four years, and until his successor shall be elected and qualified. He shall receive as compensation for his services such fees and perquisites as may be prescribed by law."

Sec. 8. That Section 18 of Article V of the Constitution of the State of Texas be amended so as to read as follows:

"Section 18. Each organized county in the State now or hereafter existing, shall be divided from time to time, for the convenience of the people, into precincts, not less than four and not more than eight. Divisions shall be made by the Commissioners Court provided for by this Constitution; provided that such division shall be as nearly equal as may be on the basis of population. In each such precinct there shall be elected one justice of the peace and one constable, each of whom shall hold his office for four years and until his successor shall be elected and qualified; provided that in any precinct in which there may be a city of eight thousand (8,000) or more inhabitants, there may be elected two justices of the peace. Each county shall in like manner be divided into four commissioners precincts in each of which there shall be elected by the qualified voters thereof one county commissioner, who shall hold his office for four years and until his successor shall be elected and qualified. The county commissioners so chosen, with the County Judge as presiding officer, shall compose the County Commissioners Court, which shall exercise such powers and jurisdiction over all county business, as is conferred by this Constitution and the laws of the

State, or as may be hereafter prescribed."

Sec. 9. That Section 20 of Article V of the Constitution of the State of Texas be amended so as to read as follows:

"Section 20. There shall be elected for each county, by the qualified voters, a county clerk, who shall hold his office for four years, who shall be clerk of the County and Commissioners Courts and recorder of the county, whose duties, perquisites and fees of office shall be prescribed by the Legislature, and a vacancy in whose office shall be filled by the Commissioners Court, until the next general election; provided, that in counties having a population of less than eight thousand (8,000) persons there may be an election of a single clerk who shall perform the duties of district and county clerks."

Sec. 10. That Section 21 of Article V of the Constitution of the State of Texas be amended so as to read as follows:

"Section 21. A county attorney, for counties in which there is not a resident criminal district attorney, shall be elected by the qualified voters of each county, who shall be commissioned by the Governor, and hold his office for the term of four years. In case of vacancy the Commissioners Court of the county shall have the power to appoint a county attorney until the next general election. The county attorneys shall represent the State in all cases in the District and inferior courts in their respective counties; but if any county shall be included in a district in which there shall be a district attorney, the respective duties of district attorneys and county attorneys shall in such counties be regulated by the Legislature. The Legislature may provide for the election of district attorneys in such district, as may be deemed necessary, and make provisions for the compensation of district attorneys and county attorneys. District attorneys shall hold office for a term of four years, and until their successors have qualified."

Sec. 11. That Section 23 of Article V of the Constitution of the State of Texas be amended so as to read as follows:

"Section 23. There shall be elected by the qualified voters of each county a sheriff, who shall hold his office for the term of four years, whose duties

and perquisites, and fees of office, shall be prescribed by the Legislature, and vacancies in whose office shall be filled by the Commissioners Court until the next general election."

Sec. 12. That Section 14 of Article VIII of the Constitution of the State of Texas be amended so as to read as follows:

"Section 14. Except as provided in Section 16 of this Article, there shall be elected by the qualified voters of each county, an Assessor and Collector of Taxes, who shall hold his office for four years and until his successor is elected and qualified; and such Assessor and Collector of Taxes shall perform all the duties with respect to assessing property for the purpose of taxation and of collecting taxes, as may be prescribed by the Legislature."

Sec. 13. That Section 16 of Article VIII of the Constitution of the State of Texas be amended so as to read as follows:

"Section 16. The sheriff of each county, in addition to his other duties, shall be the Assessor and Collector of Taxes therefor; but, in counties having ten thousand (10,000) or more inhabitants, to be determined by the last preceding census of the United States, an Assessor and Collector of Taxes shall be elected as provided in Section 14 of this Article, and shall hold office for four years and until his successor shall be elected and qualified."

Sec. 14. That Section 44 of Article XVI of the Constitution of the State of Texas be amended so as to read as follows:

"Section 44. The Legislature shall prescribe the duties and provide for the election by the qualified voters of each county in this State, of a county treasurer and a county surveyor, who shall have an office at the county seat, and hold their offices for four years, and until their successors are qualified; and shall have such compensation as may be provided by law."

Sec. 15. That Article V of the Constitution of the State of Texas be amended by adding thereto a Section 30, which shall read as follows:

"Section 30. The Judges of all County Courts-at-Law now or hereafter created under the laws of this State, and all criminal district attorneys now or hereafter authorized by the laws of this State, shall be

elected for a term of four years, and shall serve until their successors have qualified."

Sec. 16. That Article XVI of the Constitution of the State of Texas be amended by adding thereto a Section 64, which shall read as follows:

"Section 64. At the general election to be held in November, 1954, and thereafter, the following officers shall be elected for the full terms provided in this Constitution: (a) Governor; (b) Lieutenant-Governor; (c) Attorney General; (d) Comptroller of Public Accounts; (e) District Clerks; (f) County Clerks; (g) County Judges; (h) County Treasurers; (i) Criminal District Attorneys; (j) County Surveyors; (k) County Commissioners for Precincts Two and Four; (l) Justices of the Peace.

"Notwithstanding other provisions of this Constitution, at such general election the following officers shall be elected only for terms of two years: (a) State Treasurer; (b) Commissioner of the General Land Office; (c) Commissioner of Agriculture; (d) Sheriffs; (e) Assessors and Collectors of Taxes; (f) District Attorneys; (g) County Attorneys; (h) Judges of County Courts-at-Law; (i) Public Weighers; (j) County Commissioners for Precincts One and Three; (k) Constables. At subsequent elections, such officers shall be elected for the full terms provided in this Constitution.

"In any district, county or precinct where any of the aforementioned offices is of such nature that two or more persons hold such office, with the result that candidates file for 'Place No. 1, Place No. 2, etc.,' the officers elected at the general election in November, 1954, shall be elected to a term of two years if the designation of their office is an uneven number, and to a term of four years if the designation of their office is an even number. Thereafter, all such officers shall be elected for the terms provided in this Constitution.

"No officer mentioned in this section, including the members of the Texas Railroad Commission shall be permitted to offer himself as a candidate for any public office or to have his name placed on the ballot at any election, either primary or general, unless he resigns from the office which he holds, or unless the term of the office which he holds expires with the calendar year when such election is held."

Sec. 17. But in no case shall the Legislature set the salaries of the Governor, Lieutenant-Governor, Attorney General, Comptroller of Public Accounts, Treasurer and Commissioner of General Land Office at less than Twelve Thousand (\$12,000.00) Dollars, and should the Legislature fail to appropriate these salaries, or a sufficient amount to pay same, the Treasurer is authorized to pay the salaries to the legal holders of such offices without further authority.

Sec. 18. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified voters of this State at a special election to be held throughout the State on the first Tuesday after the first Monday of November, A.D., 1952, at which election all ballots shall have printed thereon:

"FOR the Constitutional Amendment providing a four year term of office for elective State, district, county and precinct officers; prescribing eligibility for such offices; and providing that the salaries of elective State officers shall be fixed by the Legislature."

"AGAINST the Constitutional Amendment providing a four year term of office for elective State, district, county and precinct officers; prescribing eligibility for such offices; and providing that the salaries of elective State officers shall be fixed by the Legislature."

Sec. 19. The Governor shall issue the necessary proclamation for said election and shall have the same published as required by the Constitution and laws of this State.

(2)

Amend H. J. R. No. 19 by striking out all above the enacting clause and insert in lieu thereof the following:

Proposing an amendment to the Constitution of the State of Texas to provide a four (4) year term of office for elective State, district, county and precinct officers; staggering the terms of such offices by having certain holders thereof be elected for terms of varying length in the November, 1954, general election; prescribing eligibility for such offices; providing that the salaries of elective State officers shall be fixed by the Legislature; prescribing a minimum salary for certain State officers; providing that certain officers shall not be permitted to have their names

placed on the ballot for any other office at any election unless they resign from the offices which they hold or unless the terms of office they hold expire within the calendar year when such election is held; removing from the Constitution the office of Hide and Animal Inspector; providing that justice precincts shall be divided on the basis of population; removing the mandatory provisions providing for the election of two justices of the peace in certain cities; and providing for the necessary proclamation and election.

The resolution, as amended, was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "nay" on the passage of H. J. R. No. 19 to third reading.

Motion to Place House Joint Resolution 19 on Third Reading

Senator Fuller moved that the constitutional rule requiring resolutions to be read on three several days be suspended and that H. J. R. No. 19 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—22

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Lock
Carney	Moore
Carter	Parkhouse
Colson	Russell
Corbin	Shofner
Fuller	Strauss
Hazlewood	Tynan
Hudson	Vick
Kelley of Hidalgo	Wagonseller

Nays—6

Bracewell	Martin
Bullock	McDonald
Hardeman	Nokes

Absent

Moffett	Weinert
Phillips	

Bills Signed

The Presiding Officer announced the signing of, in the presence of the Senate, after the captions had been read, the following enrolled bills:

S. B. No. 55, A bill to be entitled "An Act making an appropriation to pay the principal of a certain judgment against the State of Texas in Cause No. 86997 in the 98th District Court of Travis County, Texas, styled Trinity County Lumber Company, et al., vs. The State of Texas; etc., and declaring an emergency."

S. B. No. 128, A bill to be entitled "An Act providing that policemen and firemen and fire alarm operators may, while serving their probationary period, have the benefits of the Firemen's and Policemen's Act, etc., and declaring an emergency."

House Bill 512 on Second Reading

On motion of Senator Strauss, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 512, A bill to be entitled "An Act to amend Article 1524(a), Section 7, Vernon's Texas Civil Statutes, as amended by Acts 1945, 49th Legislature, page 263, Chapter 194; and declaring an emergency."

The bill was read second time and passed to third reading.

(President pro tempore in Chair.)

House Bill 512 on Third Reading

Senator Strauss moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 512 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Lock
Bracewell	Martin
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Russell
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Tynan
Hudson	Vick
Kelley of Hidalgo	Wagonseller

Nays—1

McDonald

Absent

Phillips

Weinert

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

(President in Chair.)

The bill was read third time and was passed.

Senate Bill 281 with House Amendments

Senator Kelley of Hidalgo called S. B. No. 281 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Kelley of Hidalgo moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Russell
Fuller	Shofner
Hazlewood	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller
Lane	

Nays—2

Bracewell

Hardeman

Absent

Phillips

Weinert

Vote Reconsidered on House Bill 326

Senator Nokes asked unanimous consent to reconsider the vote by which H. B. No. 326 was finally passed.

There was no objection offered.

The President then laid before the Senate H. B. No. 326 on its third reading and final passage.

Senator Hudson, by unanimous consent, withdrew the amendment previously offered by him and which had been adopted.

Senator Hudson then offered the following amendment to the bill:

Amend House Bill 326 by striking from Section 4 of the printed bill all of line 52 up to the first comma in line 59 therefrom and substituting the following:

"A warrant to search for and seize a slot machine alleged to be stored, kept or possessed in any house, room, or place may be issued by a magistrate when a written, sworn complaint is made to the magistrate setting forth:

1. The name of the person accused of storing, keeping or possessing such machine; or if his name is unknown, giving a description of the accused, or stating that the person who stores, keeps or possesses such slot machine is unknown;

2. The place where it is alleged that the slot machine is stored, kept, or possessed;

3. That the person complaining has good grounds to believe that the slot machine is stored, kept or possessed in the house, room or place alleged."

The amendment was adopted by the following vote:

Yeas—29

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Russell
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Tynan
Hudson	Vick
Kelley of Hidalgo	Wagonseller
Kelly of Tarrant	

Absent

Phillips Weinert

The bill, as amended, was passed.

Record of Votes

Senators Hardeman, Moore and Vick asked to be recorded as voting "Yea" on the final passage of H. B. No. 326.

Senator Ashley asked to be recorded

as voting "Nay" on the final passage of H. B. No. 326.

Senate Bill 78 with House Amendments

Senator Tynan called S. B. No. 78 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Tynan moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Carter	Nokes
Colson	Parkhouse
Corbin	Russell
Fuller	Shofner
Hazlewood	Strauss
Hudson	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller

Absent

Hardeman Weinert
Phillips

House Joint Resolution 19 on Third Reading

Senator Fuller moved that the constitutional rule requiring resolutions to be read on three several days be suspended and that H.J.R. No. 19 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Lock
Bullock	Moffett
Carney	Moore
Carter	Parkhouse
Colson	Russell
Corbin	Shofner
Fuller	Strauss
Hazlewood	Tynan
Hudson	Vick
Kelley of Hidalgo	Wagonseller

Nays—3

Bracewell	McDonald
Martin	

Absent

Hardeman	Phillips
Nokes	Weinert

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—21

Ashley	Lane
Bell	Lock
Carney	Moore
Carter	Phillips
Colson	Russell
Corbin	Shofner
Fuller	Strauss
Hazlewood	Tynan
Hudson	Vick
Kelley of Hidalgo	Wagonseller
Kelly of Tarrant	

Nays—7

Aikin	Martin
Bracewell	McDonald
Bullock	Nokes
Hardeman	

Absent

Moffett	Weinert
Parkhouse	

Senate Bill 259 with House Amendments

Senator Kelley of Hidalgo called S. B. No. 259 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Kelly of Hidalgo moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—22

Bell	Hazlewood
Bracewell	Kelley of Hidalgo
Bullock	Kelly of Tarrant
Carney	Lock
Carter	Martin
Colson	Moffett
Corbin	Moore
Fuller	Phillips

Russell	Tynan
Shofner	Vick
Strauss	Wagonseller

Nays—3

Aikin	Hudson
Hardeman	

Absent

Ashley	Nokes
Lane	Parkhouse
McDonald	Weinert

Senate Bill 130 with House Amendments

Senator Tynan called S. B. No. 130 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Tynan moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Bill 108 with House Amendments

Senator Corbin called S. B. No. 108 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Corbin moved that the Senate concur in the House amendments.

The motion prevailed.

Adjournment

On motion of Senator Hudson, the Senate at 1:05 o'clock p. m. adjourned until 10:30 o'clock a. m. tomorrow.

SIXTY-FOURTH DAY

(Thursday, May 3, 1951)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Bracewell
Ashley	Bullock
Bell	Carney